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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,999	01/07/2000	THOMAS PIAZZA	42390.P8055	2472
59796	7590	07/16/2007		
INTEL CORPORATION c/o INTELLEVATE, LLC P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER GOOD JOHNSON, MOTILEWA	
			ART UNIT 2628	PAPER NUMBER
			MAIL DATE 07/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/478,999	<b>Applicant(s)</b> PIAZZA ET AL.	
	<b>Examiner</b> Motilewa Good-Johnson	<b>Art Unit</b> 2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 is/are allowed.
- 6) ☒ Claim(s) 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/06/2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velez 6,678,006 in view of Herrera 6,208,350.

Regarding claim 17, Velez discloses a palette (64) and a blend unit (114 and 134) and blending is performed using multiple passes (col. 2, lines 1-24) (figure 4, blending performed in 114 and also 134, which Examiner interprets as multiple passes)

However, it is noted that Velez fails to disclose alpha blending and a 4:2:0 format and wherein a same subpicture data structure is used when blending in one pass and the separate pass.

Herrera discloses a sub-picture stream decoded into a bitmap composed of colors from a palette of sixteen colors intended to be blended in the final digital video signal, col. 2, lines 39-50, and an alpha blend process to produce a translucent overlay in which video signals and sub-picture digital video signals are blended together, col. 3, lines 14-19, wherein a same subpicture data structure to be used when blending in the one pass and the separate pass (col.17, lines 1-29). Herrera further discloses a YUV 4:2:0 format, col. 2, line 59 and abstract.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in the sub picture and video processing of data as disclosed in Velez the signal format and alpha blending as disclosed in Herrera to provide cost-effective and improved DVD processing playback capabilities in a computer.

Regarding claim 18, Velez fails to disclose wherein the palette is a dual-purpose palette, which can operate as a texture palette or a sub picture palette.

Herrera discloses col. 2, lines 43-45.

Regarding claim 19, Herrera discloses the sup-picture is represented by an index to the table and a blend value, col. 17, lines 23-25.

Regarding claim 20, Herrera discloses performing motion compensation for each plane of the Y, U and V samples, col. 13, lines 22-67.

Regarding claim 21, it is rejected based upon similar rational as claim 17.

Velez discloses a palette for sub-pictures, col. 2, lines 43-45, and blend process in which video signals and sub-picture digital video signals are blended together (figures 1-3)

Herrera discloses a palette for sub-pictures, col. 2, lines 43-45. Herrera discloses an alpha blend process to produce a translucent overlay in which video signals and sub-picture digital video signals are blended together, col. 3, lines 14-19, and discloses a planar YUV 4:2:0 format, col. 2, line 59.

Regarding claim 22, Velez discloses a palette for sub-pictures, figure 3. Herrera discloses a planar YUV 4:2:0 format, col. 2, line 59.

Regarding claim 23, it is rejected based upon similar rational as above independent claim 22.

Regarding claim 24, Herrera discloses the sup-picture is represented by an index to the table and a blend value, col. 17, lines 23-25.

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Regarding claim 25, Herrera discloses a palette for sub-pictures, col. 2, lines 43-45. Herrera further discloses blending the video components with the sub picture component where alpha provides the levels of blend for each color, col. 17, lines 1-28.

Regarding claim 26, it is rejected based upon similar rational as claim 22.

Velez discloses blending the video picture components with the sub-picture component to produce a final output pixel and discloses each sub-picture pixel represented by an index to a table and an accompanying blend value, col. 17, lines 20-25.

Herrera discloses blending the video picture components with the sub-picture component to produce a final output pixel and discloses each sub-picture pixel represented by an index to a table and an accompanying blend value, col. 17, lines 20-25.

***Allowable Subject Matter***

3. Claims 1-16 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited fails to render obvious blending in a first, second and third pass the Y, U, and V values of a video signal with a corresponding Y, U, and V values of a subpicture signal.

***Response to Arguments***

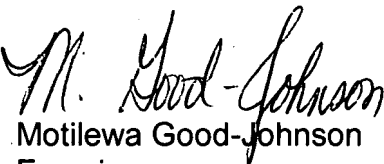
5. Applicant's arguments see remarks page 11, filed 06/06/2007, with respect to claims 1-16 have been fully considered and are persuasive. The rejection of claims 1-16 has been withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa Good-Johnson whose telephone number is (571) 272-7658. The examiner can normally be reached on Monday, Tuesday and Wednesday 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Motilewa Good-Johnson  
Examiner  
Art Unit 2628

mgj